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WENDEROTH, LIND & PONACK, L.L.P.  
2033 K Street, N.W.  
Suite 800  
Washington, DC 20006-1021

In re Application of :  
UMEZAWA *et al* :  
Application No.: 10/589,255 :  
PCT No.: PCT/JP2005/002660 :  
Int. Filing Date: 14 February 2005 :  
Priority Date: 12 February 2004 :  
Attorney Docket No.: 2006\_1324A :  
For: PROBE FOR DETECTING NUCLEAR :  
RECEPTOR AGONIST OR :  
ANTAGONIST AND METHOD FOR :  
SCREENING AGONIST OR :  
ANTAGONIST TO NUCLEAR :  
RECEPTOR WITH THE USE OF THE :  
SAME :

## DECISION

This decision is in response to the "Petition to Withdraw Holding of Abandonment Under 37 CFR § 1.181(a)" filed on 16 July 2008. No fee is required.

## BACKGROUND

On 10 September 2007, a Notification to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (Form PCT/DO/EO/922) was mailed. Applicants were given two months to respond with extensions of time available.

On 13 November 2007, applicant purportedly filed a response which was accompanied by, *inter alia*, a CRF sequence listing diskette.

On 07 July 2008, a Notice of Abandonment was mailed stating that the above-captioned application was abandoned because applicants failed to respond to the Form PCT/DO/EO/922 mailed 10 September 2007.

On 01 May 2008, applicant filed a petition to withdraw the holding of abandonment which was accompanied by, *inter alia*, a copy of the preliminary amendment filed 13 November 2007.

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### **DISCUSSION**

A review of the subject application shows that the 13 November 2007 response was located in the file. A Preliminary Amendment, an Amendment to the Specification, and a paper copy of the sequence listing are located in the file.

Moreover, a check with SCORE indicates that the 13 November 2007 response contained the CRF sequence listing diskette as required<sup>1</sup>. The sequence listing was accepted on 14 September 2008.

### **CONCLUSION**

For the reasons above, applicant's petition to withdraw the holding of abandonment is **GRANTED**.

The Form PCT/DO/EO/909 mailed 07 July 2008 is hereby **VACATED**.

This application is being forwarded to the Office of Patent Application Processing for further processing in accordance with this decision.



James Thomson  
Attorney Advisor  
Office of PCT Legal Administration

Tel.: (571) 272-3302

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<sup>1</sup> The date of receipt of the CRF sequence listing diskette was noted as 27 June 2008 in USPTO records. However, this date is erroneous as the CRF sequence listing diskette was date-stamped by the USPTO as received on 13 November 2007.